

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

MARIO H. RIVAS PINEDA,

Petitioner,

v.

A. NEIL CLARK, Field Office Director, U.S.
Immigration and Customs Enforcement, *et al.*,

Respondents.

CASE NO. C10-390-RAJ-JPD

ORDER OF DISMISSAL

The Court, having reviewed petitioner's Emergency Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief (Dkt. No. 4), respondents' Response to Petitioner's Request for Stay of Removal (Dkt. No. 6), the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and any objections or responses to that, and the remaining record, finds and Orders as follows:

1. The Court adopts the Report and Recommendation.
2. Petitioner's habeas petition is DISMISSED with prejudice, petitioner's request for stay of removal is DENIED, and the previous temporary stay of removal issued by the Court is VACATED.

1 3. The Clerk shall send a copy of this Order to the parties and to Judge Donohue.

2 DATED this 25th day of May, 2010.

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7 The Honorable Richard A. Jones
8 United States District Judge
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